

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *LC* D.C.

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

SYMANTHIA COOPER,

Plaintiff,

vs.

MEMPHIS AREA MEDICAL CENTER
FOR WOMEN, BARBARA WOTHERSPOON,
M.D., individually, et al.,

Defendants.

No. 04-2806 MaV

ORDER DENYING MOTION TO AMEND COMPLAINT

Before the court is the motion of the plaintiff, Symanthia Cooper, served on the defendant on August 10 2005, pursuant to Rule 15(a) of the Federal Rules of Civil Procedure for leave to amend her complaint to increase the amount of damages alleged in Paragraph 6. This motion was referred to the United States Magistrate Judge for determination.

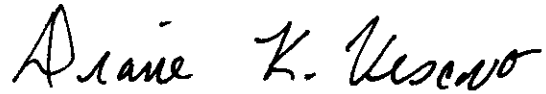
Local Rule 11(a)(1)(B) requires that all motions, with some exceptions not relevant here, be accompanied by a certificate of counsel affirming that, after consultation pursuant to the Rule, the parties were unable to reach an accord or an agreement mootng all issues. Failure to file a certificate of consultation "may be good grounds for denying the motion." Local Rule 11(a)(1)(B). Thus, plaintiff's failure to file a Local Rule 11 certificate of

counsel is sufficient grounds to deny the motion.

Plaintiff also failed to file a supporting memorandum of fact and law as required under Local Rule 11(a)(1).

Therefore, plaintiff's motion is not well-taken because of plaintiff's failure to file an accompanying certificate of consultation under Local Rule 11 and a supporting memorandum of fact and law. Accordingly, plaintiff's Motion to Amend Complaint is hereby denied.

IT IS SO ORDERED this 15th day of August, 2005.

A handwritten signature in cursive script, reading "Diane K. Vesco".

DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 23 in case 2:04-CV-02806 was distributed by fax, mail, or direct printing on August 16, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT